

REMARKS

INTRODUCTION

Claims 9 and 11-18 were previously and are currently pending and under consideration.

Claims 9 and 11-18 are rejected.

Claims 9, 11, 12 and 14-16 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

ENTRY OF AMENDMENT UNDER 37 CFR §1.116

Applicant requests entry of this Rule 116 Response because:

(a) the amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(b) the amendments of the claims should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and

(c) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTIONS UNDER 35 USC § 112, SECOND PARAGRAPH

In the Office Action, at page 2, claim 9 was rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth therein. The objectionable portion has been removed. Withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 USC § 103

In the Office Action, at pages 2-7, claims 9, 11-14, 17 and 18 were rejected under 35 U.S.C. § 103 as being unpatentable over Price in view of Anderson, further in view of Flockhart and further in view of Shrivelman. Claim 15 was rejected under 35 U.S.C. § 103 as being unpatentable over Price in view of Anderson. Claim 16 was rejected under 35 U.S.C. § 103 as being unpatentable over Price in view of Anderson and further in view of Shrivelman. These rejections are traversed and reconsideration is requested.

The claims are amended to recite that a user can use a user interface to select a communication media for obtaining a response to an inquiry. Claim 9, for example, recites "the user's selection being made between at least two available communication media choices comprising a telephone and an email". The communication media can be one of e-mail or telephone, and the inquiry is processed from an inquiry queue accordingly. Claims 12, 14, and 15 are also amended to recite that the communication media selected can be different than the media being used to make the inquiry. For support, see at least page 15, lines 15-24, and page 19 line, 23 to page 20 line 9 of the present specification.

The rejection cites Price as disclosing a user interface with which a user can select a communication media for receiving an answer from an agent. However, neither Price nor the other cited references disclose or suggest a user selecting between email or a telephone call to receive an answer from an operator. In Price, a user can only request a live voice response.

Withdrawal of the rejection is respectfully requested.

DEPENDENT CLAIMS

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. For example, claim 11 recites "said queue-managing unit manages the inquiries in which the user has either selected a telephone call as the communication media for receiving the answer or made the inquiry over a telephone, in one queue". This feature is not taught or suggested by the prior art. Withdrawal of the rejection of the dependent claims is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: James T. Strom
James T. Strom
Registration No. 48,702

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501